

United States District Court  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

FLETCHER DAVIS,  
Paintiff,

 $\mathbf{v}_i$ 

MICHAEL J. ASTRUE,  
*Commissioner of the Social  
Security Administration,*  
Defendant.

$$\begin{array}{c} ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \end{array}$$

**JUDGMENT IN A CIVIL CASE**  
**CASE NO. 7:10-CV-231-D**

### Decision by the Court:

**IT IS ORDERED AND ADJUDGED** that the Court adopts the conclusions in the Memorandum and Recommendations [D.E. 52]. Defendant's objections [D.E. 53] are **OVERRULED**, Plaintiff's Motion for Judgment on the pleadings [D.E. 47] is **GRANTED IN PART** and **DENIED IN PART**, Defendant's Motion for Judgment on the Pleadings [D.E. 49] is **DENIED** , and the action is **REMANDED** to the Commissioner for proceedings as set forth in the Memorandum and Recommendations.

THE ABOVE JUDGMENT WAS ENTERED TODAY, **February 17, 2012**, WITH A COPY TO:

Jonathan Blair Biser (via CM/ECF Notice of Electronic Filing)  
Eskunder R.T. Boyd (via CM/ECF Notice of Electronic Filing)

February 17, 2012  
Date

DENNIS P. IAVARONE, Clerk  
Eastern District of North Carolina

/s/Debby Sawyer  
(By) Deputy Clerk

# Raleigh, North Carolina